

EXHIBIT 7 – Tim Stark Petition

IN THE DISTRICT COURT OF GARVIN COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA }
GARVIN COUNTY } SS,
FILED
NOV 19 2019
AP 2:58 P.M.
LAURA LEE, Court Clerk
BY R DEPUTY.

Timothy L. Stark,
Petitioner,

vs.

Jeff Lowe,
Defendant,

CJ-2019- 184

PETITION

COMES NOW, the Plaintiff, Timothy L. Stark, and for his Petition herein alleges and states as follows, to-wit:

1. The Plaintiff is an individual, domiciled in the state of Indiana;
2. The Defendant is an individual, domiciled in the State of Oklahoma;
3. This cause of action arose in the State of Oklahoma, and jurisdiction and venue are proper in this forum;
4. Between the 7th of February, 2019, and the 30th of July, 2019, the Plaintiff caused certain animals to be delivered to the Defendant;
5. Said animals were transported from the State of Indiana to the Defendant's location in Wynnewood, Oklahoma. The location is commonly known as the G.W. Exotic Animal Park;
6. The animals so transported were to be housed at the Defendant's location until a suitable facility could be brought in to operation at a different location within the State of Oklahoma;
7. At all times the animals in question remained the sole property of the Plaintiff;
8. Subsequent to the delivery of the animals to the Defendant, the parties agreed to discontinue the process of relocating the animals in Oklahoma;
9. On or about the 18th of August, 2019, the Plaintiff retrieved some of the aforementioned animals from the Defendant's location;
10. On or about the 30th of August, 2019, the Plaintiff attempted to retrieve a further approximately 20 animals of various species from the Defendant's premises, to remove the same to a different location within the State of Oklahoma;
11. The animals in question are as follows: 5 Sulcata turtles, 6 Caracal Cats, 3 Marmoset monkeys, 1 Tamarin monkey, 1 Grizzly Bear, 1 Cougar, 1 Bobcat, 5 Emu birds, 1 Fossa, 1 Civet, 1 Hyacinth Macaw, 1 DeBrazza Guenon, 3 Prevost Squirrels, 1 Plantain Squirrel, 1 Kinkajou, 1 Red ruffed Lemur, 1 Capybara, 1 Reticulated Python, 2 Ringtail Lemurs, 2

- Bushy tailed Opossums, 1 Richardson ground squirrel, 1 Chocolate Skunk, 3 Straw colored bats, 1 Bush Baby, 1 Bat Eared Fox;
12. The defendant has openly acknowledged that the above enumerated animals are the property of the Plaintiff;
 13. The Defendant refused to allow the Plaintiff to retrieve these animals, stating that the animals were under a veterinarian's care, and could not travel across state boundaries;
 14. Plaintiff has attempted to have the animals inspected by a veterinarian, but has been continuously denied access to the animals for all purposes;

COUNT I - CONVERSION

15. The Plaintiff adopts all prior allegations heretofore set forth, and further alleges that:
16. The Defendant has unlawfully converted the animals referenced herein above to his own use, and refuses to return the animals;
17. The Defendant has no legal authority to retain the animals, and prevent the Plaintiff from having the same examined by a qualified veterinarian;
18. The Defendant remains in possession of the animals at the time of filing;
19. The Defendant should be ordered to return the animals referenced herein to the Plaintiff

COUNT II – UNJUST ENFICHMENT

20. The Plaintiff adopts all prior allegations heretofore set forth, and further alleges that:
21. The Defendant continues to exhibit the hereinabove mentioned animals to the public, thereby receiving some benefit in the form of an admission fee charged for entry into the Defendant's location;
22. The Defendant has failed to remit any portion of the funds so obtained to the Plaintiff, and is benefiting from his continued detention of the animals;
23. The Defendant should compensate the Plaintiff for the benefits he has derived from his use of the animals;

COUNT III – INJUCTION

24. The Plaintiff adopts all prior allegations heretofore set forth, and further alleges that:
25. This Court should issue an injunction, enjoining the Defendant from continuing possession of the animals, and should issue an order for their immediate return to the Plaintiff, all as authorized by title 12 O.S. § 1382;
26. The Defendant should be ordered to compensate the Plaintiff for any loss or injury to said animals from the 30th of July, 2019 to the date of Hearing;
27. The Defendant should be enjoined from receiving any thing of value from the Plaintiff for the care, and treatment of the animals, as the Defendant has been retaining possession of the same against the true owner's interests

WHEREFORE, PREMISES considered, the Plaintiff respectfully requests that he be awarded the following relief, to-wit:

- a. The return of all animals as shown herein above;

- b. A sum calculated to reimburse the Plaintiff for the unjust enrichment of the Defendant;
- c. An injunction against the Defendant, enjoining the Defendant from detaining the animals as referenced hereinabove;
- d. An award in a sum certain for any loss or detriment to the animals while in the Defendant's care;
- e. An injunction against the Defendant from receiving anything of value from the Plaintiff for the care and treatment of the animals;
- f. A reasonable attorneys fee and the costs of this action, as well as all other relief that this Court deems just and equitable.

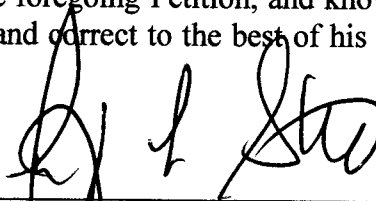
Respectfully submitted



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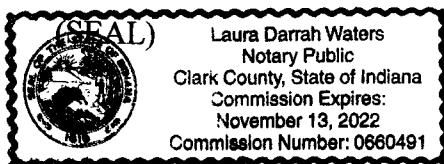
STATE OF INDIANA)
) ss.
COUNTY OF *Clark*)

Timothy L. Stark, of lawful age, being first duly sworn upon oath deposes and states: that he is the Plaintiff above named, that he has read the foregoing Petition, and knows the contents thereof, and that the facts therein set forth are true and correct to the best of his knowledge and belief.



Timothy L. Stark.

Subscribed and sworn to before me this 15 day of Nov, 2019.



Laura Darrah Waters
Notary Public